

FLATHEAD COUNTY PLANNING AND ZONING OFFICE
CONDITIONAL USE PERMIT REPORT (#FCU-10-05)
LAKESIDE MERCANTILE, LLC
MAY 18, 2010

A report to the Flathead County Board of Adjustment regarding a request by Jeremy and Deborah Newell for a conditional use permit to allow for multiple principal uses on one tract of land within the Lakeside zoning district.

The Flathead County Board of Adjustment will hold a public hearing on the proposed conditional use on June 1, 2010 beginning at 6:00 P.M. in the 2nd floor conference room of the Earl Bennett Building, 1035 First Avenue West, Kalispell. Documents pertaining to this file are available for public inspection in the Flathead County Planning and Zoning Office, also located in the Earl Bennett Building at 1035 First Avenue West in Kalispell.

I. APPLICATION REVIEW UPDATES

A. Land Use Advisory Committee/Council

The proposed land use is located within the advisory jurisdiction of the Lakeside Community Council. On May 25, 2010 the Lakeside Community Council will hold a public meeting at the Lakeside Sewer District Office, beginning at 7:00 P.M., to review the proposed land use and make a recommendation to the Flathead County Board of Adjustment. This space is reserved for a summary of the Committee's discussion and recommendation.

B. Board of Adjustment

The Flathead County Board of Adjustment will hold a public hearing on the proposed land use on June 1, 2010 beginning at 6:00 P.M. in the 2nd floor conference room of the Earl Bennett Building, 1035 First Avenue West, Kalispell. This space is reserved for a summary of the Flathead County Board of Adjustment's discussion and decision at that hearing.

II. GENERAL INFORMATION

A. Application Personnel

i. Applicant

Jeremy & Deborah Newell
Lakeside Mercantile, LLC
P.O. Box 399
Lakeside, MT 59922

ii. Landowner(s)

(same as above)

iii. Technical Assistance

(none provided)

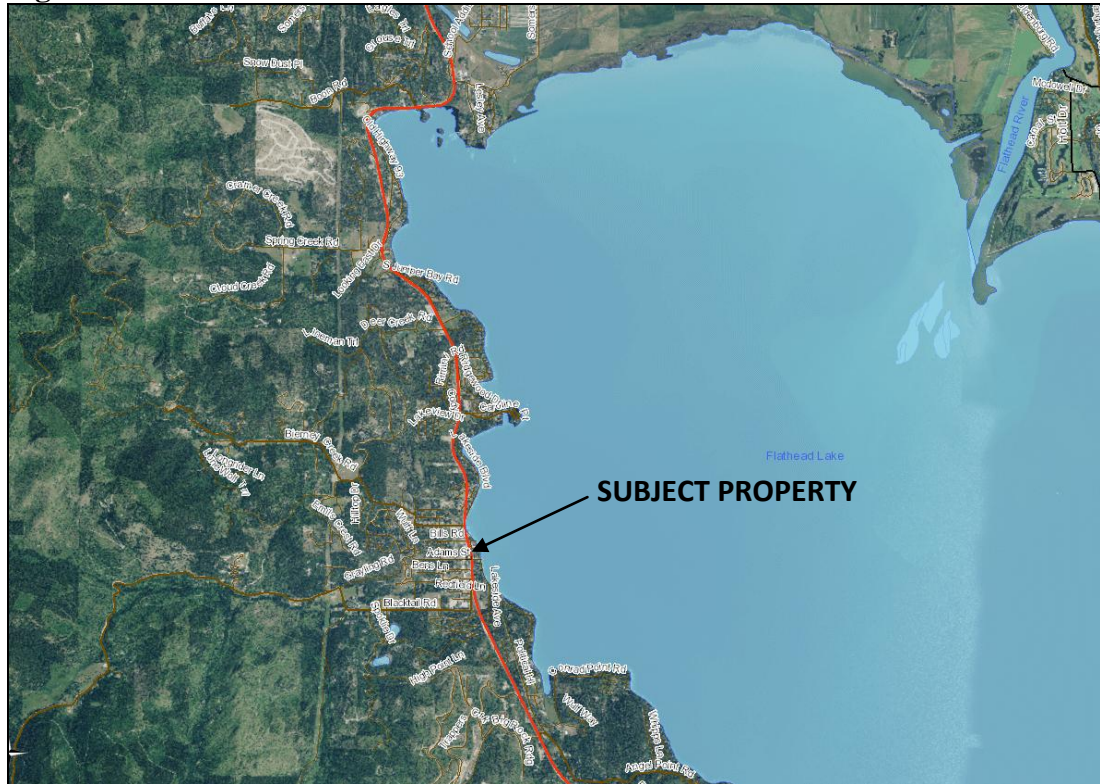
B. Property Location and Size

The subject property is approximately 0.6 acres in size and is located at the northwest corner of Adams Street and U.S. Highway 93 South in Lakeside (see Figures 1 and 2 below). The property can be legally described as Lot 3B of the Amended Plat of Block 3 of Lacon Subdivision in Section 18, Township 26 North, Range 20 West, P.M.M., Flathead County, Montana.

Figure 1: Subject property highlighted in yellow.



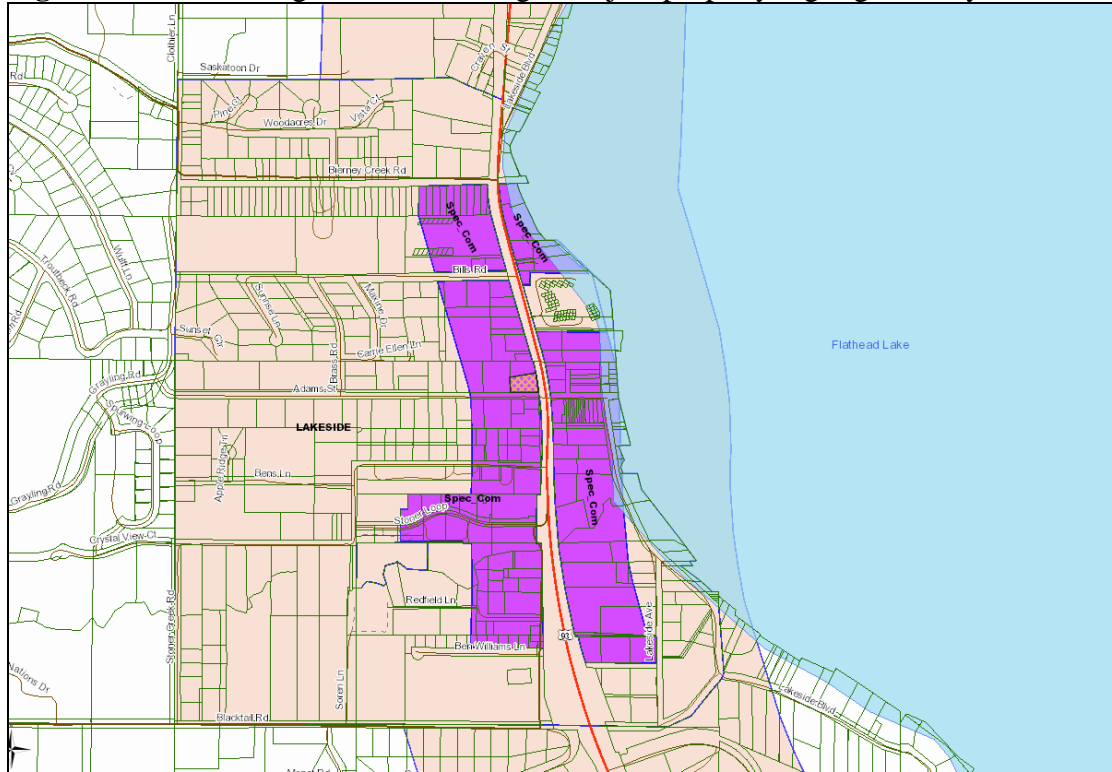
Figure 2: Aerial view - Lakeside/Somers area.



C. Existing Land Use(s) and Zoning

The Lakeside Mercantile is located on the subject property, which is currently utilized for commercial uses. The property is zoned “Special Commercial” within the Lakeside Zoning District, a district meant to *“further the goals of the Lakeside Neighborhood Plan by providing for orderly development of Lakeside and specifically by providing for a commercial center, encouraging residential development within existing neighborhoods by establishing height and setback standards that reflect the existing pattern of growth and by protecting existing uses within the community of Lakeside”*. The “Special Commercial” designation addresses the district’s intent to provide for a commercial center and applies to properties abutting U.S. Highway 93 and Stoner Loop between Bierney Creek Road and Ben Williams Lane (see Figure 3 below).

Figure 3: Surrounding Lakeside Zoning – subject property highlighted in yellow.



D. Adjacent Land Use(s) and Zoning

The area surrounding the Subject property on which the Lakeside Mercantile sits is similarly zoned “Special Commercial” within the Lakeside Zoning District (see Figure 3 above). The Mercantile is located within the commercial center of Lakeside, and the surrounding properties exhibit a range of commercial or public uses. To the immediate west is the Lakeside Public School, to the south across Adams Street is the Lakeside Community Chapel, to the north is a bar and casino and across U.S. Highway 93 will be a future county park.

E. Summary of Request

The Lakeside Mercantile predates the creation of the Lakeside Zoning District on February 24, 2000. The building houses the Lakeside Mercantile and Windermere Real Estate office; although these uses operate individually from one another, they are grandfathered under the existing zoning because the building and type of use(s) predate the establishment of the zoning district. When Flathead County purchased property across from the Mercantile to develop a public park, the owner of the Mercantile became interested in moving the Blacktail Chalet onto his property, to allow the ticket sales office for Blacktail Mountain to continue operating and to prevent the historic Chalet from being torn down.

The Blacktail Chalet would continue to operate as a retail sales and service office on the Mercantile’s property; retail sales and service is a permitted use according to Section 3.42.025 (19) of the zoning regulations. However, when combined with the

existing grandfathered commercial uses within the Mercantile building, the Chalet becomes a second principal use on the property, operating separately from the Mercantile. Section 3.03.020 (3) of the Flathead County Zoning Regulations states *“Except as otherwise specified in these regulations, only one principal use shall be allowed per tract of record in the following zones: AG-80, AG-40, AG-20, SAG-10, SAG-5, R-2.5, R-1 through R-5, RA-1 and B-1. Multiple uses may be allowed on single lots in other zoning districts upon the issuance of a conditional use permit.”* The last sentence of this section of the zoning regulations is of particular importance, as it clearly indicates that in areas zoned “Special Commercial” within the Lakeside zoning district, multiple principal uses **may** be allowed subject to an approved conditional use permit.

F. Compliance With Public Notice Requirements

Notification was mailed to property owners within 300 feet of the subject property on May 10, 2010, pursuant to Section 3.42.050 (7) of the Zoning Regulations. Legal notice of the public hearing on this application will be published in the May 16, 2010 edition of the Daily Interlake.

G. Agency Referrals

Referrals were sent to the following agencies on April 8, 2010:

- Flathead County Public Works/Road Department
 - Reason: The parking area serving the Lakeside Mercantile has direct access onto Adams Street, which may impact County facilities.
- Montana Department of Transportation
 - The property fronts and has direct access onto U.S. Highway 93 South.
- Lakeside Water & Sewer District
 - Reason: The property is located within and is currently served by the public water and sewer district.
- Lakeside/Somers Rural Fire District
 - Reason: The property is located within the department’s jurisdiction.

III. COMMENTS RECEIVED

A. Public Comments

No written public comments have been received regarding the multiple principal uses proposed on the subject property. Adjacent property notification providing members of the public ample notice of the Board of Adjustments hearing was recently mailed on May 10, 2010; it is anticipated those wishing to provide comment on the proposal will do so during the public hearing.

B. Agency Comments

The following is a summarized list of agency comment received as of the date of the completion of this staff report:

- David Prunty and Guy Foy, Flathead County Road and Bridge Departments
 - Reviewed the application and have no comment regarding the proposal.
- James Freyholtz, Montana Department of Transportation

- The additional use proposed (the Blacktail Chalet retail office) will be accessed by Adams Street.
- No comment regarding the proposal.
- Jim Heim, Lakeside Water and Sewer District
 - The conditional use permit has no net effect increase with regards to water and sewer services provided by the Lakeside Water and Sewer District.
 - The physical connection would not amount to anything different than an addition of another room or two or a restroom to the existing structure, already being served by the District.
 - There is no additional “load” to the system because an already existing service is being relocated to a different connection point.
 - The District concurs with this proposed change in service.

IV. CRITERIA REQUIRED FOR CONSIDERATION

Per Sections 2.06.080 and 2.06.100 of the Flathead County Zoning Regulations, what follows are criteria required for consideration of a Conditional Use Permit and suggested findings of fact based on review of each criterion.

A. Site Suitability

i. Adequate usable space

The subject property is currently developed and incorporates all the structures identified in this proposal. There are no maximum lot coverage restrictions applicable to the Lakeside zoning district. The Lakeside Mercantile building sits on the east side of the property, with a paved parking area and large storage outbuilding behind it to the west. The mercantile predates the Lakeside zoning district and is considered a grandfathered non-conforming use with regard to minimum setback requirements in the Lakeside zoning district. The large storage outbuilding appears to comply with the minimum rear yard setback of twenty (20) feet but may not comply with the side yard setback of ten (10) feet. Since the outbuilding appears to predate the creation of the Lakeside zoning district along with the Mercantile building, it too would be considered a grandfathered non-conforming structure with regard to setbacks.

The Chalet has been moved from off-site and is situated along the north property boundary, to the east of and adjacent to the large storage outbuilding. The building measures 20 feet wide by 24 feet long, for a total of 480 internal sq. ft.; a small porch has been added to the east side of the structure, for access to the building which is now atop a poured foundation (approximately 18” in height). Upon visit to the site staff confirmed the Chalet structure appears to meet the minimum side yard setback requirement of ten (10) feet. A small red storage shed appears to have been moved onto the property with the Chalet and is not represented in the site plan for the Conditional Use Permit (see Figures 4 and 5 below). The shed appears to sit within the required twenty (20) foot rear yard setback and may encroach into the ten foot side yard setback as well. This

shed will be required to be relocated to comply with the setback requirements of the Lakeside zoning district as a condition of approval.

Figure 4: Chalet, large storage outbuilding and smaller red shed (far left)



Figure 5: Setbacks for each building.



Finding #1 – There is adequate useable space on the subject property for the multiple uses proposed because the Lakeside zoning district does not limit lot coverage, the Mercantile building has been in existence for many years and there is adequate space to accommodate the Chalet building on the subject property in conformance with the applicable setbacks.

Finding #2 – The small red storage shed that was recently moved onto the property will be required to be relocated because it currently encroaches in the side and rear yard setbacks.

ii. Adequate access

The property has access onto US Highway 93 South and Adams Street, both paved public roadways. Visitors to the Chalet would use the Adams Street access and parking area during visits to the retail sales office. Adams Street intersects US Highway 93 at a controlled intersection with a stop sign; comment from the Montana Department of Transportation indicated there were no concerns with the additional loading onto Highway 93 via Adams Street. Similarly, the Flathead County Road and Bridge Department had no concerns with the additional commercial use on the subject property.

Finding #3 – The subject property is suitable for the proposed multiple uses because traffic visiting the Chalet would use the existing access and parking area off of Adams Street, a paved public County road, which in turn directs traffic onto US Highway 93 South using a controlled intersection.

iii. Absence of environmental constraints

The subject property is flat and currently developed. The Mercantile building, storage shed and associated parking take up the property entirely, leaving a small grass area along the north property boundary. The property is outside of any designated 100-year floodplain, the lakeshore protection zone, and there are no designated wetlands or riparian areas on or near the property itself. Because it is developed and has been for many years, the property is not considered to have any critical habitat for wildlife onsite.

Finding #4 – The property is suitable for the multiple principal uses proposed because it is located within an urban area, currently developed, and has no environmental constraints such as topography, floodplain, wetland or critical wildlife habitat.

B. Appropriateness of design

i. Parking scheme

A paved parking area currently serves the Mercantile and real estate office on the subject property. The addition of the Chalet is not expected to increase the on-site parking demand significantly. As stated in the application, only one

employee would be working at the Chalet, and visitors purchasing tickets and ski passes would only utilize the parking area for brief periods of time.

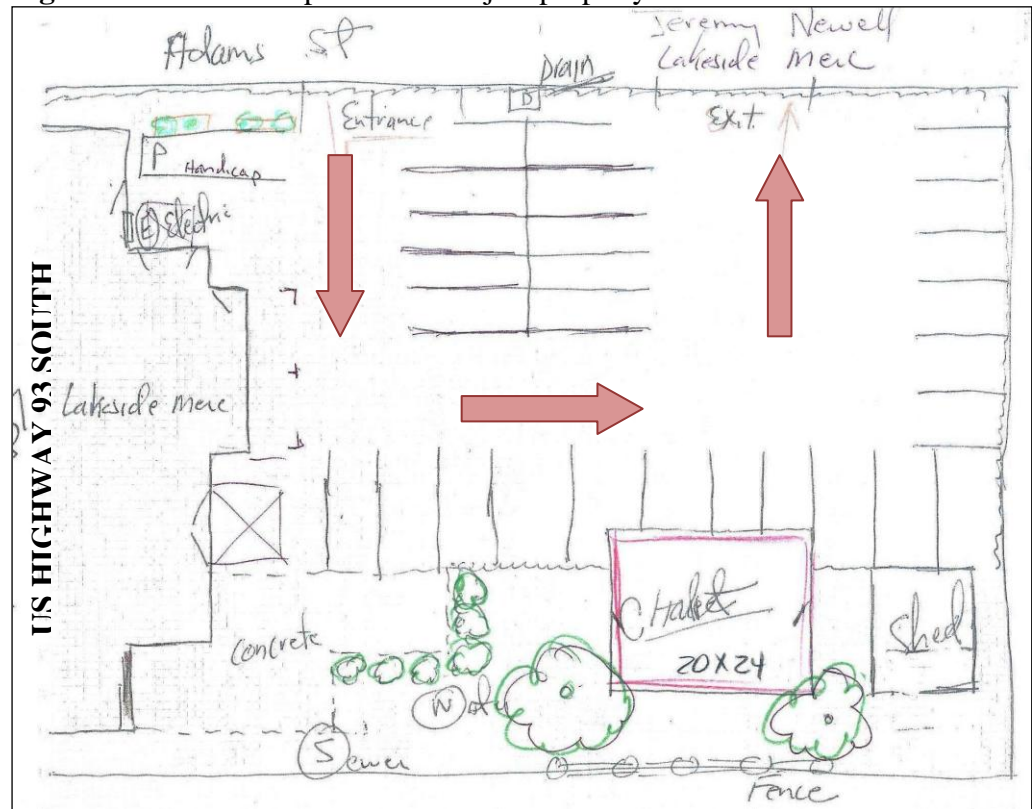
The Flathead County Zoning Regulations require a minimum of 1 space per 300 sq. ft. of gross floor area for retail or personal service stores (FCZR Section 6.09.010). Based on this assessment, the Blacktail Chalet would require a minimum of two parking spaces, and the Lakeside Mercantile building would require a minimum of 28 parking spaces (based on an approximate calculation of 8,400 sq. ft. of retail sales and service space within the Mercantile). The site plan submitted shows 26 spaces plus one handicap parking space can be accommodated within the back parking area; approximately four additional parallel parking spaces can be accommodated in front of the Mercantile building, directly off of US Highway 93 South. A few of the spaces shown on the site plan appear to be cut short due to the placement of the Chalet structure (see Figure 6 below). Section 6.01.010 (6) of the zoning regulations regarding parking standards allows up to 20% of the parking required to be met by compact parking spaces; such spaces must meet the minimum dimensional requirements of 8 feet by 16 feet as set forth by this chapter. According to the regulations up to five compact parking spaces would be allowed to apply toward the parking requirements on the subject property.

Finding #5 – The layout and site design is suitable for the multiple uses proposed because the property is able to accommodate the minimum parking necessary to serve the Mercantile and real estate office as well as the Blacktail Chalet.

ii. Traffic circulation

The parking area has two access points onto Adams Street, allowing traffic to enter to the east (closest to the Highway 93 intersection) and exit to the west (see Figure 6 below). This circulation pattern not only prevents congestion onsite but also directs traffic back onto Adams Street in an orderly fashion, allowing stacking to occur at the controlled intersection onto Highway 93 without impacting flow into and out of the parking lot.

Figure 6: Circulation pattern on subject property.



Finding #6 – Traffic circulation is acceptable and can accommodate the multiple uses proposed because the property has two existing access points onto Adams Street which allow one-way traffic flow through the property, enhancing public health and safety on and off the subject property.

iii. Open space

As previously stated, the Lakeside zoning district does not limit the amount of lot coverage for a particular property; therefore no open space is required based on the applicable zoning regulations. The area between the Chalet building and the Mercantile's back entrance is the only significant area on the property not currently under impervious coverage. A few trees and shrubs have been planted around the patio area, as stated in the application and confirmed on visit to the site. It appears the area will also be reseeded in grass now that the building has been moved and connections to water and sewer have been completed.

iv. Fencing/screening

No fencing or screening has been proposed by the applicant. The commercial uses that would operate on the subject property are consistent with the surrounding area and would not need to be fenced or screened from view. A partial metal split-rail fence is located along the north property boundary, but does not fence or screen anything from view, rather providing a visual boundary between properties.

v. Landscaping

There are no specific landscaping requirements applicable to the “Special Commercial” zoning in the Lakeside Zoning District. Since the property is surrounded by similarly zoned commercial uses, a landscaped buffer is not required to mitigate impacts to surrounding uses. However, the applicant has proposed some small trees and blooming shrubs be placed around the patio of the Blacktail Chalet to increase the aesthetic quality of the subject property.

Finding #7 – The lack of fencing or screening and open space on the site plan is acceptable and appropriate because there are no restrictions on permitted lot coverage in the Lakeside zoning, and because the multiple commercial uses on the property are in character with the surrounding area and do not require fencing, screening or landscaping to separate dissimilar uses.

vi. Signage

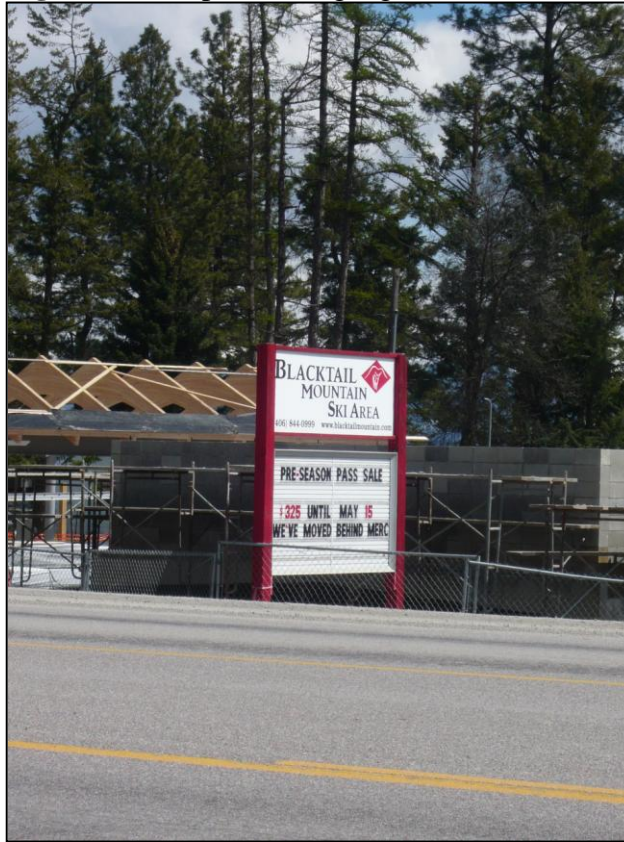
All signage on the subject property will be required to comply with the standards and guidelines set forth in Section 5.11 of the zoning regulations, in addition to specific signage requirements outlined under the Lakeside zoning district in Section 3.42.050 (4). The amount of signage permitted for a given property is based on either the building frontage or lot frontage of the property, whichever is greater. Furthermore, Section 5.11.020 (11) (1) states “as applicable to shopping centers or lots containing multiple businesses, the allowable sign area can be divided in any way desired by the property owner.” Since the subject property has frontage along both Adams Street and US Highway 93 South, the total sign area allowance for the property is approximately 510 sq. ft. This signage area includes all types of signs on the property (wall signs, pole signs, ground signs, etc.) and can be divided between the Chalet, Mercantile and real estate office as necessary.

The Mercantile and real estate office currently advertize using wall signs along the highway and Adams Street corridors. Windermere also has a temporary directional sign at the corner of the property, directing traffic toward the parking lot. The Chalet currently has three wall signs hanging on the building; two on the south side facing Adam’s Street and one on the north side facing the adjacent property. Each sign is approximately 2 feet tall by 5 feet wide, totaling 30 sq. ft. in signage for all three.

The signage on the property appears well within the signage allotment set forth in the zoning regulations. However, the Lakeside zoning district specifically states that Scenic Corridor signage standards apply, limiting off-premise signage and billboards. There is an off-premise ground sign located on the property across the street from the Mercantile where the Chalet used to be located (see Figure 7 below). The Scenic Corridor guidelines do not allow any off-premise signage other than directional signs a maximum of 8 inches by 36 inches [Section 3.32.020 (1)(A)]. The off-premise sign will be required to be

removed as a condition of approval, as it is currently in violation of the signage standards for the Lakeside zoning district. It *may* be relocated to the subject property if the additional square footage is found not to exceed what is allowable under the regulations and discussed above.

Figure 7: Off-premise signage.



Finding #8 – Signage for the multiple commercial uses is acceptable because the existing on-premise signage appears to comply with the applicable zoning regulations, all future signage will be required to comply with the regulations, and because the off-premise sign currently in violation will be required to be removed as a condition of permit approval.

vii. Lighting

All lighting on the subject property will be required to comply with the standards for yard, street and security lighting found in Section 5.12 of the zoning regulations. The Mercantile building has some exterior lighting on the east face, fronting US Highway 93 South. There are a few motion sensor lights on the west side of the Mercantile building that would illuminate the Chalet if triggered. The Chalet appears to have an exterior light near the entrance, and the parking area is also illuminated. All lighting currently exists on the property, and appears to comply with the requirements set forth in Section 5.12 of the regulations.

Finding #9 – The lighting plan for the subject property is acceptable because the current lighting is compliant with the zoning regulations and any future lighting will be required to similarly comply.

C. Availability of Public Services and Facilities

i. Sewer

The subject property is currently and would continue to be served by the Lakeside Water and Sewer District for sewer utilities. Comment from Jim Heim, General Manager for the District, indicates the relocation of the Blacktail Chalet will have no impact on the District's ability to provide service to this location. The application states that only one toilet will be added to the Mercantile's existing sewer line to serve the Chalet, and that the sewer lines are easily accessible on the property to make the necessary changes as a result of the additional structure. Upon visit to the site it appeared the necessary hook-ups had already occurred based on the presence of new asphalt leading to the Chalet building (reference Figure 4 above).

ii. Water

Similar to the sewer utilities above, the subject property is currently and would continue to be served by the Lakeside Water and Sewer District for water utilities. Comment from the District indicates there would be no net effect resulting from the relocation of the Chalet onto the Mercantile's property.

Finding #10 - The proposed use would have no impact on public utilities because the property is currently served by the Lakeside Water and Sewer District and would be available to serve the Chalet in its new location.

iii. Storm Water Drainage

According to the application, the existing parking area serving both the Mercantile and the relocated Chalet is paved in asphalt and directs all stormwater runoff to an existing culvert on the property. This culvert has a steel grate and 14" lines, and appears to adequately accommodate stormwater run-off from the Mercantile building, outbuildings and paved parking area. The property sits slightly lower in elevation than both Adams Street and US Highway 93 South, allowing stormwater run-off to be remain onsite. The addition of the Chalet would add approximately 480 sq. ft. of impervious surface area to the property. It is anticipated the additional square footage of impervious surface would not have a significant impact on the existing drainage plan because nearly half the Chalet overlaps the existing paved parking area.

Finding #11 – Stormwater drainage has been addressed and appears adequate because the Chalet building would only moderately increase the amount of impervious surface already onsite, and because run-off from these impervious surfaces can be directed to and accommodated by an on-site culvert located at the south end of the parking area.

iv. Fire Protection

The subject property is currently served by the Somers Rural Fire District. All buildings on the subject property are easily accessible from the parking lot off of Adams Street. In the event of an emergency, fire and EMT vehicles would be able to circulate through this parking area and provide service to any of the multiple uses onsite.

v. Police Protection

The subject property is served by the Flathead County Sheriff's Department. The sheriff's department regularly patrols the Lakeside area, and the property is located in a highly developed and accessible area in downtown Lakeside. Relatively quick response times would be anticipated given the property's location.

vi. Streets

The property has frontage and can be accessed from both US Highway 93 South and Adams Street. US Highway 93 South is a paved state highway, whereas Adams Street is a paved public County Road. Traffic visiting the Chalet will primarily be using Adams Street and the paved parking area for access. Both Adams and Highway 93 would be able to accommodate the additional traffic anticipated as a result of the Chalet moving onto the property.

Finding #12 - Impacts to public services would be minimal because the property is in an area of the county served by the Somers Rural Fire District and the Flathead County Sheriff, and has direct access onto paved public roads able to physically accommodate the amount of traffic generated by the multiple commercial uses proposed.

D. Immediate Neighborhood Impact

i. Excessive traffic generation

According to the Institute of Transportation Engineers Trip Generation Manual (TGM; 5th Edition), the subject property would be considered a 'Specialty Retail Center' for the purpose of estimating traffic generation. Specialty retail centers are generally defined as "small strip shopping centers containing *a variety of retail shops*, specializing in quality apparel, hard goods, *services such as real estate offices*, dance studios, or florists and small restaurants."

The average trip generation on a weekday was found to be 41 trips per day, per 1,000 sq. ft. of leasable floor area; on a Saturday that average increased to 42 trips per day, and on a Sunday it dropped to around 20 trips per day. Taking these generalized calculations and applying them to the Mercantile property, the average trip generation per day is estimated at 340 trips per day for the entire site, combining the approximate square footage of both the Mercantile building and the Chalet. Given the location of the property as well as the size and scale of the commercial operations, it is likely the traffic generation from the multiple uses proposed will be much lower.

The Mercantile has been in operation and generating traffic for many years, and any additional traffic resulting from the ticket sales office in the Chalet is expected to be minimal compared to the existing commercial uses onsite. The property has access onto paved public roadways that would be able to adequately accommodate the anticipated traffic, and the amount and frequency of traffic generated would not be out of character for the downtown area of Lakeside.

Finding #13 – Impacts to the surrounding neighborhood as a result of the multiple uses proposed would be acceptable because the amount of additional traffic generated by the Chalet will be minimal compared to the traffic generated by the existing uses, and because the commercial uses and resulting traffic are consistent with the character of the surrounding area.

ii. Noise or vibration

The addition of the Blacktail Chalet would not result in excessive noise or vibration on the property, as the use will be similar to those that exist within the Mercantile building itself. None of the uses on the subject property currently create noise or vibration as a byproduct of their services.

iii. Dust, glare or heat

As previously stated, the parking area is paved and the property is currently developed. The addition of the Blacktail Chalet would not result in additional dust for these reasons. The structure itself has a few windows that may increase the amount of glare onsite, but this would be minimal considering the site is currently developed. The heat currently generated from the existing buildings and paved parking would not significantly change with the addition of the Chalet structure.

iv. Smoke, fumes, gas, or odors

The addition of the Blacktail Chalet on the subject property, and the subsequent sale of ski passes from the building would not result in smoke, fumes, gas or other odors onsite.

v. Inappropriate hours of operation

The applicant has proposed the hours of operation will coincide with regular business hours, similar to the hours of operation for the Lakeside Mercantile. It is anticipated these hours will be between 8:00 AM and 5:00 PM, Monday through Saturday and between 10:00 AM and 6:00 PM on Sundays, if necessary.

Finding #14 – Impacts resulting from the multiple uses proposed on the subject property would be acceptable because the uses will not generate smoke, fumes, gas, odors, noise or vibration, excessive glare or heat, because the parking area is currently paved to mitigate impacts from dust and because hours of operation

will be restricted between 8:00 AM and 5:00 PM Monday through Saturday and 10:00 AM to 6:00 PM on Sundays.

V. SUMMARY OF FINDINGS

Finding #1 – There is adequate useable space on the subject property for the multiple uses proposed because the Lakeside zoning district does not limit lot coverage, the Mercantile building has been in existence for many years and there is adequate space to accommodate the Chalet building on the subject property in conformance with the applicable setbacks.

Finding #2 – The small red storage shed that was recently moved onto the property will be required to be relocated because it currently encroaches in the side and rear yard setbacks.

Finding #3 – The subject property is suitable for the proposed multiple uses because traffic visiting the Chalet would use the existing access and parking area off of Adams Street, a paved public County road, which in turn directs traffic onto US Highway 93 South using a controlled intersection.

Finding #4 – The property is suitable for the multiple principal uses proposed because it is located within an urban area, currently developed, and has no environmental constraints such as topography, floodplain, wetland or critical wildlife habitat.

Finding #5 – The layout and site design is suitable for the multiple uses proposed because the property is able to accommodate the minimum parking necessary to serve the Mercantile and real estate office as well as the Blacktail Chalet.

Finding #6 – Traffic circulation is acceptable and can accommodate the multiple uses proposed because the property has two existing access points onto Adams Street which allow one-way traffic flow through the property, enhancing public health and safety on and off the subject property.

Finding #7 – The lack of fencing or screening and open space on the site plan is acceptable and appropriate because there are no restrictions on permitted lot coverage in the Lakeside zoning, and because the multiple commercial uses on the property are in character with the surrounding area and do not require fencing, screening or landscaping to separate dissimilar uses.

Finding #8 – Signage for the multiple commercial uses is acceptable because the existing on-premise signage appears to comply with the applicable zoning regulations, all future signage will be required to comply with the regulations, and because the off-premise sign currently in violation will be required removed as a condition of permit approval.

Finding #9 – The lighting plan for the subject property is acceptable because the current lighting is compliant with the applicable zoning regulations and any future lighting will be required to similarly comply.

Finding #10 - The proposed use would have no impact on public utilities because the property is currently served by the Lakeside Water and Sewer District and would be available to serve the Chalet in its new location.

Finding #11 – Stormwater drainage has been addressed and appears adequate because the Chalet building would only moderately increase the amount of impervious surface already onsite, and because run-off from these impervious surfaces can be directed to and accommodated by an on-site culvert located at the south end of the parking area.

Finding #12 - Impacts to public services would be minimal because the property is in an area of the county served by the Somers Rural Fire District and the Flathead County Sheriff, and has direct access onto paved public roads able to physically accommodate the amount of traffic generated by the multiple commercial uses proposed.

Finding #13 – Impacts to the surrounding neighborhood as a result of the multiple uses proposed would be acceptable because the amount of additional traffic generated by the Chalet will be minimal compared to the traffic generated by the existing uses, and because the commercial uses and resulting traffic are consistent with the character of the surrounding area.

Finding #14 – Impacts resulting from the multiple uses proposed on the subject property would be acceptable because the uses will not generate smoke, fumes, gas, odors, noise or vibration, excessive glare or heat, because the parking area is currently paved to mitigate impacts from dust and because hours of operation will be restricted between 8:00 AM and 5:00 PM Monday through Saturday and 10:00 AM to 6:00 PM on Sundays.

VI. RECOMMENDATION

Upon review of this application, the request for multiple commercial uses on the subject property is supported by the review criteria and all 14 Findings of Fact listed above. Staff therefore recommends that the Flathead County Board of Adjustment adopt staff report FCU-10-05 as findings of fact and approve the conditional use permit, subject to the following 9 conditions:

VII. CONDITIONS

1. The operation of multiple principal commercial uses on the subject property shall be in substantial conformance with the original application and site plan submitted and approved by the Board of Adjustment.
2. Changes or modifications to the approved use(s) or the site plan shall not be affected unless specifically approved in writing by the Flathead County Board of Adjustments.
3. The small red storage shed shall be relocated on the subject property in compliance with the applicable setback requirements of the Lakeside zoning district [Section 3.42.050(2)].
4. The Blacktail Chalet shall be required to connect into approved water and sewer

utilities and be served by the Lakeside Water and Sewer District. Documentation confirming the completion of this requirement shall be available upon request.

5. A minimum of 30 parking spaces shall exist onsite to accommodate the employee and visitor traffic generated by the multiple commercial uses operating on the subject property [per FCZR Section 6.09.010]. All parking shall comply with the applicable performance and design standards found in Chapter 6: Parking and Loading in the Flathead County Zoning Regulations.
6. All signage on the subject property shall comply with the applicable standards and guidelines set forth in Sections 3.32 [Scenic Corridor], 3.42.050(4) [Lakeside] and 5.11 [Signs] of the Flathead County Zoning Regulations.
7. The large off-premise sign advertising the Blacktail Chalet that is located on the property across from the Mercantile building shall be removed within a reasonable timeframe to comply with the off-premise signage regulations applicable in to the Lakeside zoning district.
8. All lighting on the subject property shall adhere to the performance standards set forth in Section 5.12 of the Flathead County Zoning Regulations.
9. Hours of operation for the Blacktail Chalet shall be from 8:00 AM to 5:00 PM on weekdays and Saturdays and between 10:00 AM and 6:00 PM on Sunday, or will otherwise coincide with posted business hours for the Lakeside Mercantile.